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9071TM

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JUN - 3 2005

Date

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Signature

IN THE U.S. PATENT AND TRADEMARK OFFICE  
BEFORE THE BOARD OF APPEALS AND INTERFERENCES

TRADEMARK EXAMINING OPERATION

Applicant JOS. SCHNEIDER OPTISCHE WERKE GMBH

Trademark App. 79/000,932

Filed 6 FEBRUARY 2004

Mark VARIOGON

Class 9

Trademark att. Doritt, C

Law Office 116

Asst. Commissioner for Trademarks  
Mail Stop 5  
Box 1451  
Arlington, VA 22313-1451

NOTICE OF APPEAL

Applicant hereby appeals the final refusal to register the above-identified trademark dated 7 December 2004.

A PTO-2038 for \$100.00 is enclosed. If the PTO-2038 is missing or insufficient, please charge any shortfall to account 18-2025 of the undersigned attorney firm.

06/06/2005 K81880MS 00000092 79000932

01 FC:6403

100.00 BP

Respectfully submitted,  
The Firm of Karl F. Ross P.C.

by: Herbert Dubno, 19,752  
Attorney for Applicant

lb  
31 May 2005  
5676 Riverdale Avenue Box 900  
Bronx, NY 10471-0900  
Cust. No.: 535  
Tel: (718) 884-6600  
Fax: (718) 601-1099

Enclosure: PTO-2038 for \$100.00



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**Arlington, VA 22313-1451**

**AMENDMENT IN RESPONSE TO FINAL ACTION**

In response to the Office Action mailed 7 December 2004,  
please amend the above-identified application as follows:

International class 9:

OPTICAL AND PHOTOGRAPHIC APPARATUS AND INSTRUMENTS, NAMELY, COMPUTERS, CAMERAS, OPTICAL DETECTORS, LIGHT METERS, OPTICAL REFLECTORS, CONDENSERS, OPTICAL AND CAMERA DIAPHRAGMS, LIGHT BEAM SPLITTERS, LIGHT BEAM COMBINERS; LIGHT SOURCES, NAMELY, LAMPS, LIGHT EMITTING DIODES; PROJECTORS, NAMELY, PHOTOGRAPHIC PROJECTORS, LIGHT CRYSTAL DISPLAY PROJECTORS AND OPTICAL IMAGE PROJECTORS; OPTICAL/ELECTRICAL TRANSDUCERS, ELECTRICAL/OPTICAL TRANSDUCERS, FIBER OPTICAL CABLES AND OPTICAL FIBERS SOLD AS A COMPONENT OF FIBER OPTICAL CABLES; PHOTOGRAPHIC AND CINEMATOGRAPHIC OBJECTIVES; PROJECTION AND MAGNIFICATION OBJECTIVES; FRONT-LENS ATTACHMENTS FOR CAMERAS AND OPTICAL

IMAGE PROJECTORS; LIGHT FILTERS, VIEW FINDERS FOR CAMERAS; RANGE  
FINDERS FOR CAMERAS; MAGNIFYING LENSES


REMARKS

The identification of goods has been amended as required  
to clarify indefinite terms.

Since the action is final, a Notice of Appeal and the  
appeal fee of \$100 are attached

A Power of Attorney naming the undersigned for all  
further correspondence is also enclosed.

Respectfully submitted,  
The Firm of Karl F. Ross P.C.



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By: Herbert Dubno, Reg. No. 19,752  
Attorney for Applicant

lb  
31 May 2005  
5676 Riverdale Avenue Box 900  
Bronx, NY 10471-0900  
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Enclosures:            Notice of Appeal  
                         PTO 2038 \$100  
                         Power

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IN THE U.S. PATENT AND TRADEMARK OFFICE  
TRADEMARK EXAMINING OPERATION

Applicant                   JOS. SCHNEIDER OPTISCHE WERKE GMBH  
Trademark App.            79/000,932  
Filed                      6 FEBRUARY 2004  
Mark                       VARIOGON  
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Trademark att.            Doritt, C                                   Law Office 116  
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POWER OF ATTORNEY AND APPOINTMENT OF DOMESTIC REPRESENTATIVE

JOS. SCHNEIDER OPTISCHE WERKE GMBH hereby revokes all previously granted Powers of Attorney and appoints **Herbert Dubno**, Reg. 19,752; **Jonathan Myers**, Reg. 26,963; and **Andrew Wilford**, Reg. 26,597 and each of them individually to prosecute the matter identified in the caption and to transact all business in the Patent and Trademark Office connected therewith.

Please direct all correspondence to:

**The Firm of Karl F. Ross, P.C.**  
**Customer Number 535**  
5676 Riverdale Avenue, Box 900  
Bronx, New York 10471-0900  
Telephone: (718) 884-6600  
Fax: (718) 601-1099.

Please designate the above-identified firm as the mark owner's representative upon whom notices or process in proceedings affecting the mark may be served.

**JOS. SCHNEIDER OPTISCHE WERKE GMBH**

2/11/2005

                      
Date

Signature: Dr. J. Staub  
Name: Dr. Josef Staub  
Title: Managing Director